

In the High Court of Punjab and Haryana at Chandigarh

Civil Revision No.5208 of 2016

Date of Decision: 23.8.2016

Hari Chand

--- Petitioner

versus

Ashok Yadav and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Kul bhushan Sharma, Advocate
for the petitioner**

Rekha Mittal, J.

The present petition has been directed against order dated 18.7.2016 whereby application filed by the respondents/defendants under Order 7 Rule 11 of the Code of Civil Procedure (Annexure P-2) for rejection of plaint for want of payment of proper court fee has been allowed and the petitioner/plaintiff has been directed to pay ad valorem court fee on the sale consideration mentioned in the sale deed dated 5.9.2013.

As challenge to the sale deed dated 5.9.2013 has been made by

the exeuctant thereof, the petitioner shall be liable to pay ad valorem court fee in the light of judgment of Hon'ble the Supreme Court in **Suhrid Singh @ Sardool Singh vs. Randhir Singh and others, AIR 2010 SC 2807**. The controversy raised in the present petition is squarely covered by the judgment of this Court passed in Civil Revision Nos. 7569 of 2015 titled “Shakuntla and another vs. Ishwar Devi and another” decided on 4.8.2016.

For the foregoing reasons, the petition fails and is accordingly dismissed.

(Rekha Mittal)
Judge

23.8.2016

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No